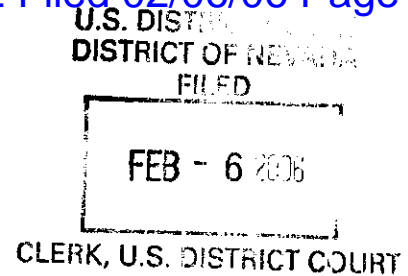


January 30, 2006

Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, Nv. 895501



Susan L. Schneider  
United States Department of Justice  
P.O. Box 756  
Littleton, Co. 80160

RE: Disclaimer of Interest in Water Rights and Notice of Related Information  
And Documentation Supporting Disclaimer

James P. Herner (Deceased 6-18-04)  
Elizabeth A. Herner, Spouse

We sold our water rights when we relocated to California. Enclosed are the following:

1. Death Certificate of James P. Herner
2. Certificate #12646 - Permit 26360 showing us as owners of 9.6 acre-feet issued by the Division of Water Resources in Carson City, Nv.
3. Water Rights Deed showing transfer of water rights to:  
Donna K. And Thomas E. Hustace  
9 Grand View Lane  
Wellington, Nevada 89444 3 acre feet
4. Water Rights Deed showing transfer of water rights to:  
Donna K. And Thomas E. Hustace  
9 Grand View Lane  
Wellington, Nevada 89444 0.6 acre feet
5. Water Rights Deed showing transfer of water rights to:  
William Brandstetter  
(No address available) 4.0 acre feet

6. Page 3 of Escrow Instructions from Title Insurance and Escrow of Yerrington, Nevada, when the property we owned was sold, when we relocated to Ca. due to the deteriorating health of my husband, to:

Frank E. And Randi Hunnewill  
13 Siegel Court  
Wellington, Nevada 89444

2.0 acre feet

TOTAL ACRE FEET

9.6 ACRE FEET

Since we no longer have an interest in these water rights, it is my hope that our names will be removed from the Lawsuit.

Thank you.

---

James P. Herner, deceased 6-18-04

  
Elizabeth A. Herner

P.O. Box 893685  
Temecula, Ca. 92589

951/926-0465

U.S. DISTRICT COURT  
DISTRICT OF NEVADA

FEB - 6 2006

CLERK U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

1	UNITED STATES OF AMERICA,	)	
2		)	
3		)	
4		)	
5		)	
6	Plaintiff,	)	In Equity No. C-125-ECR
7		)	Subfile No. C-125-B
8	WALKER RIVER PAIUTE TRIBE,	)	
9		)	DISCLAIMER OF INTEREST IN
10		)	WATER RIGHTS AND NOTICE OF
11	Plaintiff-Intervenor,	)	RELATED INFORMATION AND
12		)	DOCUMENTATION SUPPORTING
13	v.	)	DISCLAIMER
14		)	
15	WALKER RIVER IRRIGATION	)	
16	DISTRICT,	)	
17	a corporation, et al.,	)	
18		)	
19		)	
20	Defendants.	)	

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the *Case Management Order* (Apr. 18, 2000) and, therefore, **disclaims all interest in this action.**

This disclaimer and notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

And

Susan L. Schneider  
United States Department of Justice  
P.O. Box 756  
Littleton, CO 80160

In addition, because the undersigned sold or otherwise conveyed ownership of all of the

1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once  
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of  
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following  
4 additional information:

5 1. The name and address of the party or parties who sold or otherwise conveyed  
6 ownership:

7 Name(s):

8 *Elizabeth & James P. Herner*

9 Street or P.O. Box:

10 *P.O. Box 893685*

11 Town or City:

12 *Jamez*

13 State:

14 *Ca.*

15 Zip Code:

16 *92589*

17 2. The name and address of each person or entity who acquired ownership

18 Name(s):

19 *See attached letter*

20 Street or P.O. Box:

21 Town or City:

22 State:

23 Zip Code:

3. Attached to or included with this notice is a copy of the (check appropriate box(es)):

- ☒ Deed  
☐ Court Order  
☐ Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Disclaimer of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but, in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of this litigation.

Executed this 1<sup>st</sup> day of February 2006

*Elizabeth A. Herner*  
[signature of counter-defendant]

ELIZABETH  
A. HERNER  
[name of counter-defendant]

JAMES P. HERNER  
DECEASED

---

[name, if applicable, of person acting on  
behalf of counter-defendant]

[signature, if applicable, of person acting on  
behalf of Counter-Defendant]

[address]

[telephone number]

East a distance of 241.36 feet to the Southeast corner of said Easterly parcel; thence along the Southerly line of said parcel South 89°25'48" West a distance of 225.23 feet to the Southwest corner of said Easterly parcel; thence along the Westerly line of said Easterly parcel; North 0°02'01" West a distance of 491.55 feet to the point of beginning.

Said parcel as further delineated on Lyon County Record of Survey Map, recorded on to come as Document No. to come.

RESERVING THEREFROM, 7 acre feet of the 9 acre feet of stand alone underground water rights.

Showing title vested in:

FRANK E. HUNEWILL and RANDI HUNEWILL, husband and wife as Joint Tenants with the Right of Survivorship

free of encumbrances except:

1. ALL General and special taxes for fiscal year 2003-2004 AS REQUIRED BY LENDER
2. Assessments and/or Bonds not delinquent
3. Covenants, conditions, restrictions, rights of way, easements, and reservations of record, if any.
4. Items 2, 3 AND 4 as shown on your Amended Preliminary Title Report issued under this Escrow No. and dated as of July 11, 2003.
5. Deed of Trust to record in favor of Buyers Lender.

ADDITIONAL INSTRUCTIONS:

- A. Buyer and Seller each agree to pay 1/2 of all costs to Escrow, Title Insurance, Documents, Recording and Transfer Tax. Buyer agrees to pay all costs in connection with the financing.
- B. Deed to be prepared by Escrowee. Loan documents to be provided by Lender.
- C. This escrow is contingent upon those items listed in Buyers offer dated June 27, 2003. Buyer depositing all money and documents needed to close, into escrow, shall constitute a waiver of this contingency.
- D. Buyer agrees to comply with Lender's Fire and Flood Insurance requirements.
- E. Seller instructs Escrowee to report all terms of this sale to the Internal Revenue Service on form 1099-S.
- F. The water rights shown in the legal description are for reference purposes only and will not be included in the Policy of Title Insurance and no assurance of their existence, quantity, quality or allowable usage is either implied or expressed by their appearance therein. Escrowee will not be responsible for the transfer of any of said water or water rights to the Buyer, Buyer does hereby agree to handle said transfer outside of escrow, after close.

## COUNTY OF ORANGE

## HEALTH CARE AGENCY

1200 N. MAIN STREET, SUITE 100-A

SANTA ANA, CA 92701

## CERTIFICATE OF DEATH

3 200430 009352

STATE FILE NUMBER		USE BLACK INK ONLY (NO ERASURES, WHITEOUTS OR ALTERATIONS) YES (1) (REVISED)		LOCAL REGISTRATION NUMBER	
1. NAME OF DECEDENT - FIRST (Given)		2. MIDDLE		3. LAST (Family)	
James		P.		Herner	
4. DATE OF BIRTH (month/day/year)		5. AGE Yrs		6. SEX	
01/12/1942		62		M	
7. DATE OF DEATH (month/day/year)		8. HOUR (24 Hours)		9. DECEASED RACE	
06/18/2004		0832		White	
10. SOCIAL SECURITY NUMBER		11. EVER IN U.S. ARMED FORCES?		12. MARITAL STATUS (at Time of Death)	
254-62-6606		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNK <input type="checkbox"/>		Married	
13. EDUCATION (Highest Level Completed)		14. DECEASED'S RACE (Up to 3 races may be listed (see worksheet on back))		15. DECEASED'S RACE	
HS Graduate		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		White	
16. USUAL OCCUPATION (Type of work for most of life. DO NOT USE RETIRED)		17. KIND OF BUSINESS OR INDUSTRY (e.g., grocery store, road construction, employment agency, etc.)		18. YEARS IN OCCUPATION	
Electrical Engineering Rocket Scientist		Aerospace		34	
19. DECEASED'S RESIDENCE (Street and number or location)		20. CITY		21. COUNTY/PROVINCE	
33605 Fields Dr		Winchester		Riverside	
22. ZIP CODE		23. YEARS IN COUNTRY		24. STATE/FOREIGN COUNTRY	
92596		10		CA	
25. INFORMANT'S NAME, RELATIONSHIP		26. INFORMANT'S MAILING ADDRESS (Street and number or rural route number, city or town, state, ZIP)		27. INFORMANT'S MAILING ADDRESS	
Elizabeth Herner Wife		33605 Fields Dr Winchester CA 92596		33605 Fields Dr Winchester CA 92596	
28. NAME OF SURVIVING SPOUSE - FIRST		29. MIDDLE		30. LAST ( maiden Name)	
Elizabeth		Anne		Way	
31. NAME OF FATHER - FIRST		32. MIDDLE		33. LAST	
Walter		-		Herner	
34. NAME OF MOTHER - FIRST		35. MIDDLE		36. LAST	
Ruth		-		Arnold	
37. PLACE OF FINAL DISPOSITION		38. TYPE OF DISPOSITION		39. LICENSE NUMBER	
Residence Elizabeth Herner 33605 Fields Dr Winchester CA 92596		CR/RES		-	
40. TYPE OF DISPOSITION		41. SIGNATURE OF EMBALMER		42. LICENSE NUMBER	
Valley Funeral Home		Not Embalmed		-	
43. TYPE OF DISPOSITION		44. SIGNATURE OF LOCAL REGISTRAR		45. DATE (month/day/year)	
FD1541		[Signature]		06/22/2004	
46. PLACE OF DEATH		47. IF HOSPITAL, SPECIFY ONE		48. IF OTHER THAN HOSPITAL, SPECIFY ONE	
St. Joseph Hospital		X <input type="checkbox"/> H <input type="checkbox"/> E <input type="checkbox"/> O <input type="checkbox"/> A <input type="checkbox"/> P <input type="checkbox"/> H <input type="checkbox"/> O <input type="checkbox"/> S <input type="checkbox"/> P <input type="checkbox"/> I <input type="checkbox"/> T <input type="checkbox"/> C <input type="checkbox"/> O <input type="checkbox"/> U <input type="checkbox"/> R		H <input type="checkbox"/> O <input type="checkbox"/> S <input type="checkbox"/> P <input type="checkbox"/> I <input type="checkbox"/> T <input type="checkbox"/> C <input type="checkbox"/> O <input type="checkbox"/> U <input type="checkbox"/> R	
49. COUNTY		50. FACILITY ADDRESS OR LOCATION WHERE FOUND (Street and number or location)		51. CITY	
Orange		1100 West Stewart Drive		Orange	
52. CAUSE OF DEATH		53. TIME OF DEATH (month/day/year)		54. DEATH REPORTED TO CORONER	
Acute Coronary Syndrome		1 Day		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
Ischemic Heart Disease		Years		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
55. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN IN 52		56. SIGNATURE OF PHYSICIAN		57. LICENSE NUMBER	
Sepsis Syndrome, Acute Renal Failure		[Signature]		G080997	
58. DATE OF DEATH		59. DATE OF DEATH		60. DATE OF DEATH	
06/17/2004		06/18/2004		06/21/2004	
61. TYPE ATTENDING PHYSICIAN'S NAME, MAILING ADDRESS, ZIP CODE		62. INJURED AT WORK?		63. INJURY DATE (month/day/year)	
Joseph C. Preston M.D. 1310 W. Stewart Dr. #410 Orange CA 92668		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNK <input type="checkbox"/>		06/21/2004	
64. DESCRIBE HOW INJURY OCCURRED (Event which resulted in injury)		65. LOCATION OF INJURY (Street and number, or location, and city, state, ZIP)		66. SIGNATURE OF CORONER/DEPUTY CORONER	
124. DESCRIBE HOW INJURY OCCURRED (Event which resulted in injury)		125. LOCATION OF INJURY (Street and number, or location, and city, state, ZIP)		126. DATE (month/day/year)	
127. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER		128. SIGNATURE OF CORONER/DEPUTY CORONER		129. DATE (month/day/year)	
130. SIGNATURE OF CORONER/DEPUTY CORONER		131. DATE (month/day/year)		132. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
133. SIGNATURE OF CORONER/DEPUTY CORONER		134. DATE (month/day/year)		135. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
136. SIGNATURE OF CORONER/DEPUTY CORONER		137. DATE (month/day/year)		138. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
139. SIGNATURE OF CORONER/DEPUTY CORONER		140. DATE (month/day/year)		141. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
142. SIGNATURE OF CORONER/DEPUTY CORONER		143. DATE (month/day/year)		144. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
145. SIGNATURE OF CORONER/DEPUTY CORONER		146. DATE (month/day/year)		147. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
148. SIGNATURE OF CORONER/DEPUTY CORONER		149. DATE (month/day/year)		150. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
151. SIGNATURE OF CORONER/DEPUTY CORONER		152. DATE (month/day/year)		153. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
154. SIGNATURE OF CORONER/DEPUTY CORONER		155. DATE (month/day/year)		156. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
157. SIGNATURE OF CORONER/DEPUTY CORONER		158. DATE (month/day/year)		159. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
160. SIGNATURE OF CORONER/DEPUTY CORONER		161. DATE (month/day/year)		162. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
163. SIGNATURE OF CORONER/DEPUTY CORONER		164. DATE (month/day/year)		165. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
166. SIGNATURE OF CORONER/DEPUTY CORONER		167. DATE (month/day/year)		168. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
169. SIGNATURE OF CORONER/DEPUTY CORONER		170. DATE (month/day/year)		171. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
172. SIGNATURE OF CORONER/DEPUTY CORONER		173. DATE (month/day/year)		174. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
175. SIGNATURE OF CORONER/DEPUTY CORONER		176. DATE (month/day/year)		177. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
178. SIGNATURE OF CORONER/DEPUTY CORONER		179. DATE (month/day/year)		180. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
181. SIGNATURE OF CORONER/DEPUTY CORONER		182. DATE (month/day/year)		183. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
184. SIGNATURE OF CORONER/DEPUTY CORONER		185. DATE (month/day/year)		186. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
187. SIGNATURE OF CORONER/DEPUTY CORONER		188. DATE (month/day/year)		189. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
190. SIGNATURE OF CORONER/DEPUTY CORONER		191. DATE (month/day/year)		192. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
193. SIGNATURE OF CORONER/DEPUTY CORONER		194. DATE (month/day/year)		195. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
196. SIGNATURE OF CORONER/DEPUTY CORONER		197. DATE (month/day/year)		198. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
199. SIGNATURE OF CORONER/DEPUTY CORONER		200. DATE (month/day/year)		201. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
202. SIGNATURE OF CORONER/DEPUTY CORONER		203. DATE (month/day/year)		204. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
205. SIGNATURE OF CORONER/DEPUTY CORONER		206. DATE (month/day/year)		207. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
208. SIGNATURE OF CORONER/DEPUTY CORONER		209. DATE (month/day/year)		210. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
211. SIGNATURE OF CORONER/DEPUTY CORONER		212. DATE (month/day/year)		213. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
214. SIGNATURE OF CORONER/DEPUTY CORONER		215. DATE (month/day/year)		216. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
217. SIGNATURE OF CORONER/DEPUTY CORONER		218. DATE (month/day/year)		219. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
220. SIGNATURE OF CORONER/DEPUTY CORONER		221. DATE (month/day/year)		222. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
223. SIGNATURE OF CORONER/DEPUTY CORONER		224. DATE (month/day/year)		225. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
226. SIGNATURE OF CORONER/DEPUTY CORONER		227. DATE (month/day/year)		228. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
229. SIGNATURE OF CORONER/DEPUTY CORONER		230. DATE (month/day/year)		231. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
232. SIGNATURE OF CORONER/DEPUTY CORONER		233. DATE (month/day/year)		234. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
235. SIGNATURE OF CORONER/DEPUTY CORONER		236. DATE (month/day/year)		237. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
238. SIGNATURE OF CORONER/DEPUTY CORONER		239. DATE (month/day/year)		240. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
241. SIGNATURE OF CORONER/DEPUTY CORONER		242. DATE (month/day/year)		243. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
244. SIGNATURE OF CORONER/DEPUTY CORONER		245. DATE (month/day/year)		246. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
247. SIGNATURE OF CORONER/DEPUTY CORONER		248. DATE (month/day/year)		249. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
250. SIGNATURE OF CORONER/DEPUTY CORONER		251. DATE (month/day/year)		252. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
253. SIGNATURE OF CORONER/DEPUTY CORONER		254. DATE (month/day/year)		255. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
256. SIGNATURE OF CORONER/DEPUTY CORONER		257. DATE (month/day/year)		258. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
259. SIGNATURE OF CORONER/DEPUTY CORONER		260. DATE (month/day/year)		261. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
262. SIGNATURE OF CORONER/DEPUTY CORONER		263. DATE (month/day/year)		264. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
265. SIGNATURE OF CORONER/DEPUTY CORONER		266. DATE (month/day/year)		267. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
268. SIGNATURE OF CORONER/DEPUTY CORONER		269. DATE (month/day/year)		270. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
271. SIGNATURE OF CORONER/DEPUTY CORONER		272. DATE (month/day/year)		273. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
274. SIGNATURE OF CORONER/DEPUTY CORONER		275. DATE (month/day/year)		276. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
277. SIGNATURE OF CORONER/DEPUTY CORONER		278. DATE (month/day/year)		279. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
280. SIGNATURE OF CORONER/DEPUTY CORONER		281. DATE (month/day/year)		282. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
283. SIGNATURE OF CORONER/DEPUTY CORONER		284. DATE (month/day/year)		285. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
286. SIGNATURE OF CORONER/DEPUTY CORONER		287. DATE (month/day/year)		288. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
289. SIGNATURE OF CORONER/DEPUTY CORONER		290. DATE (month/day/year)		291. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
292. SIGNATURE OF CORONER/DEPUTY CORONER		293. DATE (month/day/year)		294. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
295. SIGNATURE OF CORONER/DEPUTY CORONER		296. DATE (month/day/year)		297. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
298. SIGNATURE OF CORONER/DEPUTY CORONER		299. DATE (month/day/year)		300. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
301. SIGNATURE OF CORONER/DEPUTY CORONER		302. DATE (month/day/year)		303. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
304. SIGNATURE OF CORONER/DEPUTY CORONER		305. DATE (month/day/year)		306. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
307. SIGNATURE OF CORONER/DEPUTY CORONER		308. DATE (month/day/year)		309. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
310. SIGNATURE OF CORONER/DEPUTY CORONER		311. DATE (month/day/year)		312. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
313. SIGNATURE OF CORONER/DEPUTY CORONER		314. DATE (month/day/year)		315. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
316. SIGNATURE OF CORONER/DEPUTY CORONER		317. DATE (month/day/year)		318. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
319. SIGNATURE OF CORONER/DEPUTY CORONER		320. DATE (month/day/year)		321. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
322. SIGNATURE OF CORONER/DEPUTY CORONER		323. DATE (month/day/year)		324. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
325. SIGNATURE OF CORONER/DEPUTY CORONER		326. DATE (month/day/year)		327. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
328. SIGNATURE OF CORONER/DEPUTY CORONER		329. DATE (month/day/year)		330. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
331. SIGNATURE OF CORONER/DEPUTY CORONER		332. DATE (month/day/year)		333. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
334. SIGNATURE OF CORONER/DEPUTY CORONER		335. DATE (month/day/year)		336. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
337. SIGNATURE OF CORONER/DEPUTY CORONER		338. DATE (month/day/year)		339. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
340. SIGNATURE OF CORONER/DEPUTY CORONER		341. DATE (month/day/year)		342. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
343. SIGNATURE OF CORONER/DEPUTY CORONER		344. DATE (month/day/year)		345. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
346. SIGNATURE OF CORONER/DEPUTY CORONER		347. DATE (month/day/year)		348. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
349. SIGNATURE OF CORONER/DEPUTY CORONER		350. DATE (month/day/year)		351. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
352. SIGNATURE OF CORONER/DEPUTY CORONER		353. DATE (month/day/year)		354. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
355. SIGNATURE OF CORONER/DEPUTY CORONER		356. DATE (month/day/year)		357. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
358. SIGNATURE OF CORONER/DEPUTY CORONER		359. DATE (month/day/year)		360. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
361. SIGNATURE OF CORONER/DEPUTY CORONER		362. DATE (month/day/year)		363. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
364. SIGNATURE OF CORONER/DEPUTY CORONER		365. DATE (month/day/year)		366. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
367. SIGNATURE OF CORONER/DEPUTY CORONER		368. DATE (month/day/year)		369. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
370. SIGNATURE OF CORONER/DEPUTY CORONER		371. DATE (month/day/year)		372. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
373. SIGNATURE OF CORONER/DEPUTY CORONER		374. DATE (month/day/year)		375. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
376. SIGNATURE OF CORONER/DEPUTY CORONER		377. DATE (month/day/year)		378. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
379. SIGNATURE OF CORONER/DEPUTY CORONER		380. DATE (month/day/year)		381. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
382. SIGNATURE OF CORONER/DEPUTY CORONER		383. DATE (month/day/year)		384. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
385. SIGNATURE OF CORONER/DEPUTY CORONER		386. DATE (month/day/year)		387. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
388. SIGNATURE OF CORONER/DEPUTY CORONER		389. DATE (month/day/year)		390. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
391. SIGNATURE OF CORONER/DEPUTY CORONER		392. DATE (month/day/year)		393. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
394. SIGNATURE OF CORONER/DEPUTY CORONER		395. DATE (month/day/year)		396. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
397. SIGNATURE OF CORONER/DEPUTY CORONER		398. DATE (month/day/year)		399. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
400. SIGNATURE OF CORONER/DEPUTY CORONER		401. DATE (month/day/year)		402. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
403. SIGNATURE OF CORONER/DEPUTY CORONER		404. DATE (month/day/year)		405. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
406. SIGNATURE OF CORONER/DEPUTY CORONER		407. DATE (month/day/year)		408. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
409. SIGNATURE OF CORONER/DEPUTY CORONER		410. DATE (month/day/year)		411. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
412. SIGNATURE OF CORONER/DEPUTY CORONER		413. DATE (month/day/year)		414. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
415. SIGNATURE OF CORONER/DEPUTY CORONER		416. DATE (month/day/year)		417. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
418. SIGNATURE OF CORONER/DEPUTY CORONER		419. DATE (month/day/year)		420. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
421. SIGNATURE OF CORONER/DEPUTY CORONER		422. DATE (month/day/year)		423. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
424. SIGNATURE OF CORONER/DEPUTY CORONER		425. DATE (month/day/year)		426. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
427. SIGNATURE OF CORONER/DEPUTY CORONER		428. DATE (month/day/year)		429. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
430. SIGNATURE OF CORONER/DEPUTY CORONER		431. DATE (month/day/year)		432. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
433. SIGNATURE OF CORONER/DEPUTY CORONER		434. DATE (month/day/year)		435. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
436. SIGNATURE OF CORONER/DEPUTY CORONER		437. DATE (month/day/year)		438. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
439. SIGNATURE OF CORONER/DEPUTY CORONER		440. DATE (month/day/year)		441. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
442. SIGNATURE OF CORONER/DEPUTY CORONER		443. DATE (month/day/year)		444. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
445. SIGNATURE OF CORONER/DEPUTY CORONER		446. DATE (month/day/year)		447. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
448. SIGNATURE OF CORONER/DEPUTY CORONER		449. DATE (month/day/year)		450. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
451. SIGNATURE OF CORONER/DEPUTY CORONER		452. DATE (month/day/year)		453. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
454. SIGNATURE OF CORONER/DEPUTY CORONER		455. DATE (month/day/year)		456. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
457. SIGNATURE OF CORONER/DEPUTY CORONER		458. DATE (month/day/year)		459. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
460. SIGNATURE OF CORONER/DEPUTY CORONER		461. DATE (month/day/year)		462. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
463. SIGNATURE OF CORONER/DEPUTY CORONER		464. DATE (month/day/year)		465. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
466. SIGNATURE OF CORONER/DEPUTY CORONER		467. DATE (month/day/year)		468. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
469. SIGNATURE OF CORONER/DEPUTY CORONER		470. DATE (month/day/year)		471. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
472. SIGNATURE OF CORONER/DEPUTY CORONER					





HUGH RICCI, P.E.  
State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
DIVISION OF WATER RESOURCES

123 W. Nye Lane, Suite 246  
Carson City, Nevada 89706-0818  
(775) 687-4380 • Fax (775) 687-6972  
<http://ndwr.state.nv.us>

December 24, 2002

RE: Permit 26360 (Certificate 12646)

James P. Herner and  
Elizabeth A. Herner  
PO Box 5  
Wellington, NV 89444

Dear Mr. and Mrs. Herner:

Please be advised that Permit 26360 (Certificate 12646) has been assigned to show **James P. Herner and Elizabeth A. Herner** as current owners of record of 9.6 acre-feet seasonally at a diversion rate of 0.1371 cubic feet per second.

The *Summary of Ownership* is enclosed for your reference. Confirmation of title transfer should not be construed to mean that the water rights are in good standing. This assignment reflects only the information that has been filed with this office and may be subject to amendment upon receipt of additional documentation.

If you have any questions, please contact this office at (775) 687-4381.

Sincerely,

*Tony Eng*

Tony Eng  
Engineering Technician III

TE/ld

Enclosure: *Summary of Ownership*

*Based on \$1500/acre foot, .6 acre feet = \$900.00*

Recording requested by:

When recorded, mail to:

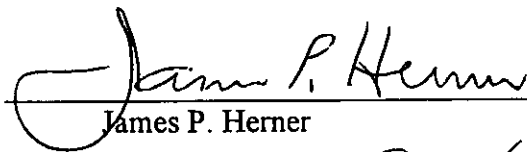
WATER RIGHTS DEED

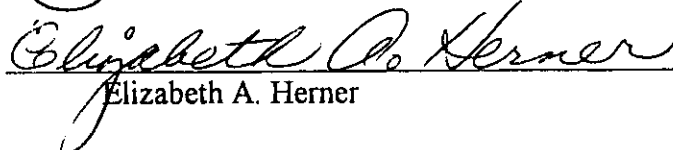
THIS INDENTURE WITNESSETH: That for a valuable consideration, receipt is hereby acknowledged, James P. Herner and Elizabeth A. Herner (hereinafter referred to as "Grantor"), do hereby grant, bargain and sell to Donna K. Hustace and Thomas E. Hustace (hereinafter referred to as "Grantee"), all right, title and interest which Grantors have in and to 3.0 acre feet per annum of the following water right, to wit:

Application Number 26360, certificate Number 12646, as issued by the State Engineer of the State of Nevada, Division of Water Resources.

TO HAVE AND TO HOLD the said rights, together with the appurtenances, unto the said Grantee forever.

WITNESS my hand this 9<sup>th</sup> day of January, 2004.

  
James P. Herner

  
Elizabeth A. Herner

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF RIVERSIDE )

On JANUARY 09, 2004, before me, a notary public, personally appeared James P. Herner, personally known or proved to me to be the person who executed the above instrument.

  
Notary Public



STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF RIVERSIDE )

On JANUARY 09, 2004, before me, a notary public, personally appeared Elizabeth A. Herner, personally known or proved to me to be the person who executed the above instrument.

  
Notary Public



Recording requested by:

When recorded, mail to:

WATER RIGHTS DEED

THIS INDENTURE WITNESSETH: That for a valuable consideration, receipt is hereby acknowledged, James P. Herner and Elizabeth A. Herner (hereinafter referred to as "Grantor"), do hereby grant, bargain and sell to Donna K. Hustace and Thomas E. Hustace (hereinafter referred to as "Grantee"), all right, title and interest which Grantors have in and to 0.6 acre feet per annum of the following water right, to wit:

Application Number 26360, certificate Number 12646, as issued by the State Engineer of the State of Nevada, Division of Water Resources.

TO HAVE AND TO HOLD the said rights, together with the appurtenances, unto the said Grantee forever.

WITNESS my hand this \_\_\_\_\_ day of February , 2004.

---

James P. Herner

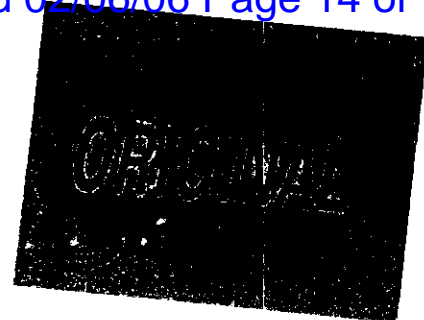
---

Elizabeth A. Herner



Recording requested by:

When recorded, mail to:



WATER RIGHTS DEED

THIS INDENTURE WITNESSETH: That for a valuable consideration, receipt of which is hereby acknowledged, James Herner and Elizabeth Herner (hereinafter referred to as "Grantor"), do hereby grant, bargain and sell to Bill Brandstetter (hereinafter referred to as Grantee"), all right, title and interest which Grantors have in and to 4.0 acre feet per annum of the following described water right, to wit:

Application Number 26360, certificate Number <sup>12646</sup>~~12464~~, as issued by the State Engineer of the State of Nevada, Division of Water Resources.

TO HAVE AND TO HOLD the said rights, together with the appurtenances, unto the said Grantee, and to the successors, heirs, and assigns of Grantee forever.

WITNESS my hand this 20 day of Nov, 2003

  
JAMES HERNER

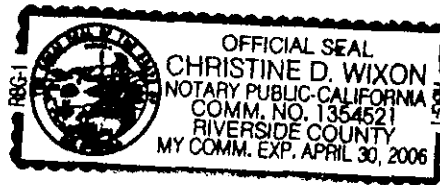
WITNESS my hand this 20 day of Nov, 2003

  
ELIZABETH HERNER

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF RIVERSIDE )

On NOVEMBER 20, 2003, before me, a notary public, personally appeared James Herner, personally known or proved to me to be the person who executed the above instrument.

Christine D. Wixon  
Notary Public



STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF RIVERSIDE )

On NOVEMBER 20, 2003, before me, a notary public, personally appeared Elizabeth Herner, personally known or proved to me to be the person who executed the above instrument.

Christine D. Wixon  
Notary Public



Elizabeth Herner  
PO Box 893685  
Temeacula CA 92589-3685



7005 1160 0003 0307 5813

RETURN RECEIPT  
REQUESTED

1509 U.S. POSTAGE  
2712705-120 FEB 02 2006  
5408 MAILED FROM ZIP CODE 92563

Linda Lee Sharen  
Chief Deputy Clerk Court for  
United States District Court  
the District of Nevada  
400 South Virginia St. #301  
Reno, Nev. 89501